IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 3RD AUGUST 2007 / 12TH SRAVANA 1929

WP(C).No. 19856 of 2007(L)

PETITIONER:

PRIYA ELSA KURIEN,MUNDUKOTTAL
KALAPPURAKKAL, PALLICKKA CHIRA.P.O.,
CHENGANASSERY.

BY ADV. SRI.N.ANILKUMAR

RESPONDENTS:

1. THE PRINCIPAL, GOOD SHEPPARD PUBLIC HIGH SCHOOL,CHENGANASSERY,KOTTAYAM.

2. THE SECRETARY, CENTRAL BOARD OF SECONDARY EDUCATION, MADRAS.

BY SHRI.DEVAN RAMACHANDRAN, SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.19856 of 2007

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Dated this the 3rd day of August, 2007

J U D G M E N T

The petitioner passed CBSE examination. In the marklist and certificate issued to the petitioner, her name is spelled as, "Priya Elsa Kurian", although the petitioner's name is "Priya Elsa Kurien". The very same mistake is there in the name of the petitioner's father also. The petitioner filed application for correction of the mistake in the spelling of the petitioner's name and her father's name. The same was not considered by the respondents and in the above circumstances, the petitioner has filed this writ petition seeking the following reliefs:

> "(i) Issue a writ of mandamus or any other appropriate writ order or direction directing the respondents to correct Ext.P5 and P6, as per the School Records by correcting spelling of the name as Priya Elsa Kurien and father's name as Kurien Joe.
>
> (ii) Issue a writ of mandamus or any other appropriate writ order or direction directing the respondents to accept Ext.P7 Petition and effect correction as requested at the earliest. So as to correspond the same with School Records."

2. The learned Standing Counsel appearing for the respondents, on instructions, submits that as per the regulations applicable for such correction, application for correction had to be filed within two years from the last date of examination and the application submitted by the

petitioner was beyond the said period.

3. I have heard both sides.

4. This court in W.P(C).No.37476/2004 held that the regulations which the respondents rely on, are not statutory in nature and therefore, correction cannot be denied simply on the ground that regulations stipulate a limitation period. I am in complete agreement with the said decision. In the above circumstances, I am satisfied that the petitioner has made out a case for getting correction of her name and her father's name in the marklist and CBSC certificate. Accordingly, there would be a direction to the respondents to make the correction applied for by the petitioner, as expeditiously as possible, at any rate, within two weeks from the date of receipt of a copy of this judgment.

Writ petition is disposed of as above.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.